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(S?)

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

INVENTOR: Robert Lutzker

RECEIVED

SERIAL NO.: 09/835,861

MAR 17 2004

FILED: April 16, 2001

OFFICE OF PETITIONS

FOR: Apparatus and Method for Improving the Taste of Wines

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATT: Mail Stop Petitions

The above-identified application became abandoned for failure to respond to a Notice of Missing Parts.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed are the following:

- (1) A check in the amount of \$665 to cover the small entity Petition fee;
- (2) Response to Notice to File Missing Parts

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply to the notice of missing parts from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,



Thomas A. O'Rourke
Reg. No. 27,665
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(631) 423-2700

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

Date of Deposit: March 9
February, 2004
Print Name: Thomas A. O'Rourke
Signature: 